

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

MICHAEL K. HERRON,	:	Case No. 19-24527-TPA
<i>Debtors,</i>	:	Chapter 13
U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF THE BUNGALOW SERIES III TRUST, <i>Movant,</i>	:	Related to Doc No. 97
v.	:	
MICHAEL K. HERRON, <i>Respondents.</i>	:	

ORDER

On November 19, 2020, a continued hearing was held on the ***Motion of U.S. Bank Trust National Association, as Trustee of the Bungalow Series III Trust for Relief from the Automatic Stay Under Section 362 and Bankruptcy Rule 4001 or in the Alternative for Adequate Protection*** filed on June 5, 2020 (Doc. 97). At the hearing, Counsel for U.S. Bank informed the Court that it had received one adequate protection payment, in the amount of \$1,484.33, for October 2020. Counsel for U.S. Bank reiterated that U.S. Bank has missed eleven-months of postpetition payments thus far in this case. The Court is very concerned by the Debtor's pattern of missing payments as well as the Debtor providing inaccurate information regarding said payments to his Counsel. Therefore, any future missed payments to U.S. Bank on account of the property located at 414 Fern Street, New Orleans LA 70118 will result in a further hearing being scheduled with the Debtor, Michael K. Herron, to personally appear. Therefore,

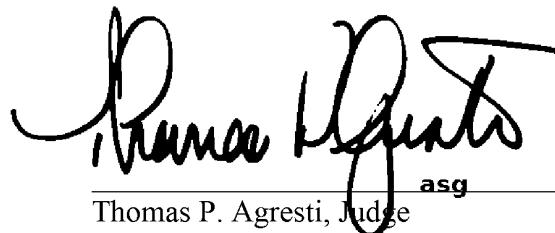
AND NOW, this 23rd day of *November, 2020*, it is hereby **ORDERED**,
ADJUDGED and DECREED that:

(1) The Automatic Stay provided by 11 U.S.C. §362 is terminated as it affects the interests of Movant with respect to the Debtors' real property located at 414 Fern Street, New Orleans LA 70118.

(2) This Order granting relief from the Automatic Stay is **STAYED** for so long as the Debtor duly makes his full adequate protection payment, in the normal monthly amount of \$1,484.33 to the U.S. Bank, N.A. *Time is of the essence.*

(3) If any monthly plan payment is at least fifteen (15) days past due, then U.S. Bank may file an *Affidavit of Default*, which shall contain a statement of default as supported by and a request for hearing.

(4) The Court will then schedule a hearing on the *Affidavit of Default*, with the Debtor to personally appear, as soon as the Court's calendar will allow.



asg

Thomas P. Agresti, Judge
United States Bankruptcy Court

Case administrator to serve:

Debtor
Aurelius Robleto, Esq.
Brian Caine, Esq.
Mark Pecarchik, Esq.
Office of the U.S. Trustee

In re:
Michael K. Herron
Debtor(s)

Case No. 19-24527-TPA
Chapter 11

District/off: 0315-2
Date Rcvd: Nov 24, 2020

User: mgut
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 26, 2020:

Recip ID	Recipient Name and Address
db	+ Michael K. Herron, 1276 Tacoma Street, Hernando, FL 34442-3237

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 26, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 24, 2020 at the address(es) listed below:

Name	Email Address
Alexander R. Kalyniuk	on behalf of Defendant Internal Revenue Service United States of America Alexander.R.Kalyniuk@usdoj.gov, Robert.D.Metcalfe@tax.usdoj.gov;eastern.taxcivil@usdoj.gov
Aurelius P. Robleto	on behalf of Plaintiff Michael K. Herron apr@robletolaw.com rmk@robletolaw.com,ecf_admin@robletolaw.com,apr@ecf.courtdrive.com,G16422@notify.cincompass.com
Aurelius P. Robleto	on behalf of Debtor Michael K. Herron apr@robletolaw.com rmk@robletolaw.com,ecf_admin@robletolaw.com,apr@ecf.courtdrive.com,G16422@notify.cincompass.com
Brian Nicholas	on behalf of Creditor BANK OF AMERICA N.A. bnicholas@kmllawgroup.com
Brian E. Caine	on behalf of Creditor U.S. Bank Trust National Association as Trustee of the Bungalow Series III Trust

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bcaine@parkermccay.com, BKcourtnotices@parkermccay.com

Brian M. Kile

on behalf of Creditor NexTier Bank N.A. bkile@grenenbirsic.com, mcupec@grenenbirsic.com;lstanger@grenenbirsic.com

Catrina Madalyn Coppler

on behalf of Creditor United States of America Department of the Treasury Internal Revenue Service
Catrina.M.Coppler@usdoj.gov, eastern.taxcivil@usdoj.gov;James.J.Wilkinson@usdoj.gov

Charles Griffin Wohlrab

on behalf of Creditor Wells Fargo Bank National Association cwohlrab@rascrane.com

Charles Griffin Wohlrab

on behalf of Creditor Wells Fargo National Association as Trustee for Banc of America, Alternative Loan Trust 2005-11, Mortgage Pass-Through Certificates, Series 2005-11 cwohlrab@rascrane.com

Christopher A. DeNardo

on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER pabk@logs.com logsecf@logs.com

Jill Locnikar

on behalf of Creditor United States of America Department of the Treasury Internal Revenue Service jill.locnikar@usdoj.gov, patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;kassi.horton@usdoj.gov

Keri P. Ebeck

on behalf of Creditor Wells Fargo National Association as Trustee for Banc of America, Alternative Loan Trust 2005-11, Mortgage Pass-Through Certificates, Series 2005-11 kebeck@bernssteinlaw.com, jbluemle@bernssteinlaw.com

Kevin Scott Frankel

on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER pabk@logs.com

Kristen D. Little

on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER pabk@logs.com
klittle@logs.com;logsecf@logs.com

Kristen D. Little

on behalf of Defendant WELL S FARGO BANK N.A. pabk@logs.com, klittle@logs.com;logsecf@logs.com

Kristen D. Little

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper et al... pabk@logs.com, klittle@logs.com;logsecf@logs.com

Lauren Michaels

on behalf of Creditor Office of Attorney General Department of Revenue lmichaels@attorneygeneral.gov

Maria Miksich

on behalf of Creditor BANK OF AMERICA N.A. mmiksich@kmllawgroup.com

Mark J. Pecarchik

on behalf of Creditor U.S. Bank Trust National Association as Trustee of the Bungalow Series III Trust pecarchik1@msn.com, FedPhe@hotmail.com

Norma Hildenbrand, on Behalf of the United States Trustee by

on behalf of U.S. Trustee Office of the United States Trustee Norma.L.Hildenbrand@usdoj.gov

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Sheetal Ramesh Shah-Jani

on behalf of Creditor Wells Fargo Bank National Association sshahjani@rascrane.com

Thomas Song

on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY et.al. pawb@fedphe.com

Thomas Song

on behalf of Defendant BANK OF AMERICA N.A. pawb@fedphe.com

Thomas Song

on behalf of Creditor BANK OF AMERICA N.A. pawb@fedphe.com

TOTAL: 25